



# **San Diego City Attorney MICHAEL J. AGUIRRE**

## **MEDIA ADVISORY**

**FOR IMMEDIATE RELEASE: April 15, 2005**

**Contact: Maria Velasquez, Communications Director: (619) 235-5725 (pager & voicemail) mvelasquez@sandiego.gov**

### **CITY ATTORNEY WILL SPEAK BEFORE THE SAN DIEGO CITY EMPLOYEES' RETIREMENT BOARD TODAY**

**Urges waiver of attorney client privilege**

**Media Advisory:** City Attorney Michael Aguirre today will urge the new Board of the San Diego City Employees' Retirement System (SDCERS) to waive their attorney client privilege, as other government agencies that are conducting investigations into the City's financial disclosure practices and its pension system have requested. In addition, on October 11, 2004, the City's outside auditor KPMG also requested "financial accounting and disclosure of activities occurring within SDCERS" in order to complete the audit of the City's 2003 financial statement. The new SDCERS Board was appointed by the Mayor and City Council on March 14, 2005.

City Attorney Aguirre will also notify the new Board that the City Attorney, under Section 40 of the San Diego City Charter, is the chief legal advisor to the SDCERS Board. On December 15, 2004, Aguirre terminated the Memorandum of Understanding (MOU) agreement between the City of San Diego and the Retirement System. Enacted on July 22, 1998, the MOU permitted the Board to retain its own legal services department; however, that same MOU specifically reserved the City Attorney's rights under the Charter and Municipal Code "regarding his rights and responsibilities to the Retirement System under Section 40 of the City Charter."

**Date & Time:** Today at 1:30 p.m.

**Location:** San Diego City Employees' Retirement System  
401 B Street, Suite 400  
Downtown San Diego

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